

DEC 16 2008

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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For form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 9

Complete if Known

Application Number	10/524,090
Filing Date	July 5, 2006
First named Inventor	Simon West
Group Art Unit	1612
Examiner name	Gigi Georgiana Huang
Attorney Docket Number	024944-9010-US00

U.S. Patent Documents

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	2,407,823	Fieser	9/17/1946
	2,913,477	Hirschmann	11/17/1959
	3,212,901	Robeson	10/19/1965
	4,075,333	Josse	2/21/1978
	4,141,938	Klose	2/27/1979
	4,299,906	Liu	11/10/1981
	4,369,172	Schor et al.	1/18/1983
	4,654,373	Bertelli	3/31/1987
	4,684,520	Bertelli	8/4/1987
	4,686,211	Hara et al.	8/11/1987
	4,874,883	Uphues et al.	10/17/1989
	4,952,495	Belly et al.	8/28/1990
	5,041,434	Lubkin	8/20/1991
	5,053,222	Takasu et al.	10/1/1991
	5,091,848	Kojima	2/25/1992
	5,094,848	Brixner	3/10/1992
	5,114,957	Hendler et al.	5/19/1992
	5,138,084	Casagrande et al.	8/11/1992
	5,173,304	Lohner et al.	12/22/1992
	5,374,645	Kurihara-Bergstrom et al.	12/20/1994
	5,387,579	Meybeck et al.	2/7/1995
	5,446,070	Mantelle	8/29/1995

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 2 of 9		Complete if Known		
		Application Number	10/524,090	
		Filing Date	July 5, 2006	
		First named Inventor	Simon West	
		Group Art Unit	1612	
		Examiner name	Gigi Georgiana Huang	
		Attorney Docket Number	024944-9010-US00	
U.S. Patent Documents				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		5,474,891	Murphy	12/12/1995
		5,474,991	Ogata et al.	12/12/1995
		5,554,781	Reiersen	9/10/1996
		5,570,504	Distefano et al.	11/5/1996
		5,589,504	Dannenberg et al.	12/31/1996
		5,603,949	Meybeck et al.	2/18/1997
		5,607,921	Bernard et al.	3/4/1997
		5,643,597	Meybeck et al.	7/1/1997
		5,741,518	Ribier et al.	4/21/1998
		5,759,526	Simonnet et al.	6/2/1998
		5,776,915	Peterson et al.	7/7/1998
		5,780,504	Ptchelintsev	7/14/1998
		5,804,168	Murad	9/8/1998
		5,804,216	Terren et al.	9/8/1998
		5,807,542	Challis et al.	9/15/1998
		5,807,845	Ogata et al.	9/15/1998
		5,885,595	Corey et al.	3/23/1999
		5,906,811	Hersh	5/25/1999
		5,908,846	Bundgaard et al.	6/1/1999
		5,916,915	Hong Jong Eon et al.	6/29/1999
		5,928,631	Lucas et al.	7/27/1999
		5,981,474	Manning et al.	11/9/1999

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		Filing Date	July 5, 2006	
		First named Inventor	Simon West	
		Group Art Unit	1612	
		Examiner name	Gigi Georgiana Huang	
		Attorney Docket Number	024944-9010-US00	
U.S. Patent Documents				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		6,022,867	Ito et al.	2/8/2000
		6,046,181	Oonishi et al.	4/4/2000
		6,048,891	Wechter	4/11/2000
		6,096,326	Wikholm	8/1/2000
		6,121,249	Weissman et al.	9/19/2000
		6,184,247	Schneider	2/6/2001
		6,384,043	Peyman et al.	5/7/2002
		6,403,811	West	6/11/2002
		6,417,223	Sanders et al.	7/9/2002
		6,423,742	Larson	7/23/2002
		6,444,220	Wiley	9/3/2002
		6,444,234	Kirby et al.	9/3/2002
		6,579,995	West	6/17/2003
		6,599,933	Takada et al.	7/29/2003
		6,645,998	Sanders et al.	11/11/2003
		6,703,384	Sanders et al.	3/9/2004
		6,770,672	Sanders et al.	8/3/2004
		7,179,486	Mulye	2/20/2007
		2002/0131994	Schur et al.	9/19/2002
		2002/0151467	Leung	10/17/2002
		2003/0035812	Ito et al.	2/20/2003
		2003/0157326	Vaghefi et al.	8/21/2003

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Substitute for form 1449/PTO		Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 4 of 9		Application Number	10/524,090	
		Filing Date	July 5, 2006	
		First named Inventor	Simon West	
		Group Art Unit	1612	
		Examiner name	Gigi Georgiana Huang	
		Attorney Docket Number	024944-9010-US00	
U.S. Patent Documents				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		2003/0206972	Babish et al.	11/6/2003
		2004/0052754	West et al.	3/18/2004
		2004/0067890	Gupta	4/8/2004
		2004/0096493	West	5/20/2004
		2004/0097431	Sanders et al.	5/20/2004
		2004/0097472	West et al.	5/20/2004
		2004/0204343	Fishman	10/14/2004
		2004/0234602	Fischer et al.	11/25/2004
		2004/0235938	Sanders et al.	11/25/2004
		2004/0241225	West	12/2/2004
		2005/0009787	West et al.	1/13/2005
		2005/0089495	West	4/28/2005
		2006/0241085	West et al.	10/26/2006
		2006/0281715	West	12/14/2006
		2006/0281716	West et al.	12/14/2006
		2007/0042999	West et al.	2/22/2007
		2007/0135390	West et al.	6/14/2007

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
	CA	1337992	Shiseido Co. Ltd. et al.	1/23/1996		X

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 5 of 9				Complete if Known		
				Application Number	10/524,090	
				Filing Date	July 5, 2006	
				First named Inventor	Simon West	
				Group Art Unit	1612	
				Examiner name	Gigi Georgiana Huang	
				Attorney Docket Number	024944-9010-US00	
U.S. Patent Documents						
FOREIGN PATENT DOCUMENTS						
Examiner Initials	Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
	EP	0171009	Henkel Corporation	2/12/1986		X
	EP	0324387	Takeda Chemical Industries Ltd.	7/19/1989		X
	EP	0338429	BASF AG	10/25/1989		
	EP	0430045	Senju Pharmaceutical Co., Inc.	6/5/1991		X
	EP	0430336	Zambon Group SpA	6/5/1991		X
	EP	0436911	Eisai Co., Ltd.	7/17/1991		X
	EP	0565007	Senju Pharmaceutical Co., Inc.	10/13/1993		X
	EP	0574255	Indena SpA	12/15/1993		X
	EP	0617963	Senju Pharmaceutical Co., Inc.	10/5/1994		X
	EP	0641790	Scotia Holdings Plc	3/8/1995		X
	EP	0661053	Senju Pharmaceutical Co., Inc.	7/5/1995		X
	EP	0679399	Senju Pharmaceutical Co., Inc.	11/2/1995		X
	EP	0680760	Senju Pharmaceutical Co., Inc.	11/8/1995		X
	EP	0684043	Senju Pharmaceutical Co., Inc.	12/29/1995		X
	EP	0699440	Senju Pharmaceutical Co., Inc.	3/6/1996		X
	EP	0826365	Senju Pharmaceutical Co., Inc.	3/4/1998		X
	EP	0845216	Showa Denko Kabushiki Kaisha	6/3/1998		X
	EP	0965328	Kao Corporation	12/22/1999		X
	EP	1023897	Showa Denko KK	8/2/2000		X
	EP	1053749	Senju Pharmaceutical Co., Inc.	11/22/2000		X
	GB	1121683	General Aniline & Film Corporation	7/31/1968		X
	GB	2227662	E.R. Squibb & Sons Inc.	8/8/1990		X
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 6 of 9				Complete if Known		
				Application Number	10/524,090	
				Filing Date	July 5, 2006	
				First named Inventor	Simon West	
				Group Art Unit	1612	
				Examiner name	Gigi Georgiana Huang	
				Attorney Docket Number	024944-9010-US00	
U.S. Patent Documents						
FOREIGN PATENT DOCUMENTS						
Examiner Initials	Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
Abstract only ↓ Abstract only	JP	53015381	Eisai Co. Ltd.	2/13/1978		X
	JP	58180410	Shiseido Co. Ltd. et al.	10/21/1983		X
	JP	59044375	Senju Seiyaku KK	3/12/1984		X
	JP	59157091	Sanyo Chem. Ind. Ltd.	9/6/1984		X
	JP	61086940	Kao Corporation	5/2/1986		X
	JP	61091137	Kao Corporation	5/9/1986		X
	JP	61233631	Kao Corporation	10/17/1986		X
	JP	62195393	Yakult Honsha KK	8/28/1987		X
	JP	63139972	Senju Pharmaceutical Co., Inc.	6/11/1988		X
	JP	4208209	Showa Denko KK	7/29/1992		X
	JP	5132700	Sunstar Chemical Industries	5/28/1993		X
	JP	5201858	SS Pharmaceutical Co.	8/10/1993		X
	JP	6048962	Morimoto Kazutoshi	2/22/1994		X
	JP	6078214	Senju Pharmaceutical Co., Inc.	10/5/1994		X
	JP	7011291	Kao Corporation	1/13/1995		X
	JP	7278587	Kao Corporation	10/24/1995		X
	JP	7316170	Kao Corporation	12/5/1995		X
	JP	8073338	Noevir KK	3/19/1996		X
	JP	8193089	Kao Corporation	7/30/1996		X
JP	8311085	Kao Corporation	11/26/1996		X	
JP	9044375	Hitachi Ltd.	2/14/1997		X	
JP	9309813	Nonogawa Shoji KK	12/2/1997		X	
JP	10045783	Showa Denko KK	2/17/1998		X	
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	Application Number	10/524,090	
	Filing Date	July 5, 2006	
	First named Inventor	Simon West	
	Group Art Unit	1612	
	Examiner name	Gigi Georgiana Huang	
		Attorney Docket Number	024944-9010-US00

U.S. Patent Documents

FOREIGN PATENT DOCUMENTS

Examiner Initials	Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
Abstract only ↓	JP	11043436	Showa Denko KK	2/16/1999		X
	JP	11199424	Nonogawa Shoji KK	7/27/1999		X
	JP	11199465	Nonogawa Shoji KK	7/27/1999	X	X
	JP	2001247585	Nippon Oils & Fats Co. Ltd.	9/11/2001		X
	JP	2002080475	Takada Jiro	3/19/2002		X
Abstract only	SU	925961	MO I T Pishchevoj Promy	5/7/1982		X
	WO	91/17987	SmithKline & French Laboratories Ltd.	11/28/1991		X
	WO	92/03122	CEVC	3/5/1992		X
Abstract only	WO	92/07544	Senju Pharmaceutical Co., Inc.	5/14/1992		X
	WO	92/08459	Kabi Pharmacia AB	5/29/1992		X
	WO	93/02661	LVMH Rech	2/18/1993		X
	WO	93/15731	Lamb	8/19/1993		X
	WO	93/24131	Procter & Gamble Pharmaceuticals Inc.	12/9/1993		X
	WO	95/31217	A/S Dumex	11/23/1995		X
	WO	95/34303	Arcturus Pharmaceutical Corp.	12/21/1995		X
	WO	96/17852	Kao Corporation	6/13/1996		X
	WO	96/20715	Perstorp AB	7/11/1996		X
	WO	96/29336	Medical Research Council et al.	9/26/1996		X
Abstract only	WO	97/14705	Showa Denko KK	4/24/1997		X
	WO	97/35591	Inspire Pharmaceuticals Inc.	10/2/1997		X
	WO	99/58555	Vyrex Corporation	11/18/1999		X
	WO	00/08033	The University of Kansas	2/17/2000		X

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FOREIGN PATENT DOCUMENTS							
Examiner Initials		Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
		WO	00/16772	Research Development Foundation	3/30/2000		X
		WO	00/30620	Gasco	6/2/2000		X
		WO	00/43380	Swig Pty. Ltd.	7/27/2000		X
		WO	00/57876	Lipogenics, Inc.	10/5/2000		X
		WO	00/59475	Lipocine Inc.	10/12/2000		X
		WO	00/69865	Swig Pty. Ltd.	11/23/2000		X
		WO	00/71094	Amway Corporation	11/30/2000		X
		WO	00/71125	LTS Lohmann Therapie- Systeme AG	11/30/2000		X
		WO	01/19372	Pharmacia & Up John SpA	3/22/2001		X
		WO	01/22937	Sonus Pharmaceuticals, Inc.	4/5/2001		X
		WO	01/35998	Pharmaderm Laboratories, Ltd.	5/25/2001		X
		WO	01/46204	Merck Frosst Canada & Co.	6/28/2001		X
		WO	01/58889	Research Development Foundation	8/16/2001		X
		WO	02/13810	Vyrex Corporation	2/21/2002		X
		WO	02/26238	Tocovite Pty Ltd.	4/4/2002		X
		WO	02/36736	The Regents of University of California	5/10/2002		X
		WO	02/39996	Pharmacia & Up John Company	5/23/2002		X
		WO	03/013550	Vital Health Sciences Pty. Ltd.	2/20/2003		X
		WO	03/024429	Egalet AS	3/27/2003		X
		WO	03/024430	Egalet AS	3/27/2003		X
		WO	03/026673	Vital Health Sciences Pty. Ltd.	4/3/2003		X
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		WO	03/039461	Research Development Foundation	5/15/2003		X
		WO	03/043570	Galileo Laboratories Inc.	5/30/2003		X
		WO	03/053407	Research Development Foundation	7/3/2003		X
		WO	03/101480	Perricone	12/11/2003		X
		WO	2004/014432	Vital Health Sciences Pty. Ltd.	2/19/2004		X
		WO	2004/060315	Perricone	7/22/2004		X
		WO	2004/064831	Vital Health Sciences Pty. Ltd.	8/5/2004		X
		WO	2004/091636	Vital Health Sciences Pty. Ltd.	10/28/2004		X
		WO	2004/092186	Vital Health Sciences Pty. Ltd.	10/28/2004		X
		WO	2004/092187	Vital Health Sciences Pty. Ltd.	10/28/2004		X
		WO	2005/023282	LTT Bio-Pharma Co. Ltd.	3/17/2005		X
		WO	2005/084678	Vital Health Sciences Pty. Ltd.	9/15/2005		X
		WO	2006/012692	Vital Health Sciences Pty. Ltd.	2/9/2006		X
		WO	2006/092024	Vital Health Sciences Pty. Ltd.	9/8/2006		X
		WO	2006/092025	Vital Health Sciences Pty. Ltd.	9/8/2006		X
		WO	2006/133506	Vital Health Sciences Pty. Ltd.	12/21/2006		X
		WO	2007/070981	Vital Health Sciences Pty. Ltd.	6/28/2007		X

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				Application Number	10/524,090
				Filing Date	July 5, 2006
				First Named Inventor	Simon West
				Group Art Unit	1612
				Examiner Name	Gigi Georgiana Huang
Sheet	1	of	5	Attorney Docket Number	024944-9010-US00

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		ABERG, F. et al., "Distribution and redox state of ubiquinones in rat and human tissues," Arch. Biochem. Biophys. (1992) 295(2):230-234
Abstract only		ALMEIDA, M.E.M. et al., "Evaluation of soybean oil deodorization distillate for Vitamin E recovery," Arq. Biol. Technol. (1994) 37(4):1003-1011
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		ERNSTER, L. et al., "Biochemical, physiological and medical aspects of ubiquinone function," Biochim. Biophys. Acta (1995) 1271:195-204
		OCTOPLUS, "Formulation Development of Poorly Soluble Drugs" (www.octoplus.nl) (1999) 2 pages (downloaded 11/2008)
		FRACALOSS, D.M. et al., "Oscars, Astronotus ocellatus, have a dietary requirement for vitamin C," J. Nutrition (1998) 128:1745-1751
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Not considered, no copy		KAGAN, V. et al., "Antioxidant effects of ubiquinones in microsomes and mitochondria are mediated by tocopherol recycling," Biochem. Biophys. Res. Commun. (1990) 169(3):851-857
		KARRER, V.P. et al., "d,l-alpha-tocopherol-phosphorsaeure-ester," Zurich, Chemisches Institut der Universitat (1933) p. 1137-1138, in German
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		KNOWLER, W.C. et al., "Preventing Non-insulin-dependent diabetes," Diabetes (1995) 44:483-488
		LANGSJOEN, P.H. et al., "Overview of the use of CoQ10 in cardiovascular diseases," Biofactors (1999) 9:273-284
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		LEE, C-F. et al., "Attenuation of UV-induced apoptosis by coenzyme Q10 in human cells harboring large-scale deletion of mitochondrial DNA," Ann. N.Y. Acad. Sci. (2005) 1042:429-438
Abstract only		LEI, B. et al., "Progress in alpha-tocopherol preparation technology, Xiandai Huagong (1997) 17(7):13-15
		MAGUIRE, J.J. et al., "Succinate-ubiquinone reductase linked recycling of alpha-tocopherol in reconstituted systems and mitochondria: requirement for reduced ubiquinone," Arch. Biochem. Biophys. (1992) 292(1):47-53

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		MELLORS, A. et al., "The inhibition of mitochondrial peroxidation by ubiquinone and ubiquinol," J. Biol. Chem. (1966) 241(19):4353-4356
		MERCK INDEX, THE, "α-estradiol" Thirteenth Edition, Whitehouse Station, NJ (2001) page 660
		MERCK INDEX, THE, "Fludarabine to Fludeoxyglucose F18" pages, Thirteenth Edition, Whitehouse Station, NJ (2001) pages 729-730
		MIYAMOTO, S. et al., "Synthesis of a novel phosphate ester of a vitamin E derivative and its antioxidative activity," Biosci. Biotech. Biochem. (1998) 62(12):2463-2466
		MORGAN, T.M. et al., "Transdermal delivery of estradiol in postmenopausal women with a novel topical aerosol," J. Pharm. Sci. (1998) 87(10):1226-1228
		MORTENSEN, S.A., "Perspectives on therapy of cardiovascular diseases with coenzyme Q10 (ubiquinone)," Clin. Invest. (1993) 71(Suppl.8):S116-S123
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		OWENS, D.R. et al., "Alternative routes of insulin delivery," Diabet. Med. (2003) 20:886-898
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		PURATCHIKODY, A. et al., "Reverse phase - high performance liquid chromatographic determination of atorvastatin calcium in solid dosage forms," Pharma. Review (2003) 1(2):79-80, 83 - STN File CA, Abstract 139:399976 only
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		Stedman's Medical Dictionary, "Tocopherol," "Tocotrienol," and "Vitamin K1", 22nd Edition, Williams & Wilkins Co. (1972) p. 1303 and 1400
		YOUNIS et al., "The prevention of type 2 diabetes mellitus: recent advances," Q.J. Med. (2004) 97:451-455

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